

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Scott Andrew Kyles,

Civil No. 08-6074 (PAM/RLE)

Petitioner,

v.

ORDER

Warden Dwight Fondren,

Respondent.

This matter is before the Court on the Report and Recommendation (“R&R”) of Chief Magistrate Judge Raymond L. Erickson dated October 2, 2009. The R&R recommends that the Petition for a Writ of Habeas Corpus be dismissed with prejudice. Petitioner did not file any objections to the R&R in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (Docket No. 10) is **ADOPTED**; and
2. The Petition (Docket No. 1) is **DISMISSED with prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Wednesday, November 18, 2009

s/ Paul A. Magnuson

Paul A. Magnuson

United States District Court Judge